

## Message Text

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ACTION OES-05

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E.O. 11652: N/A

TAGS: OGEN, PL

SUBJECT: SFCP - FIRST MEETING OF JOINT BOARD

REF WARSAW 6947

MFA PROVIDED EMBASSY FOLLOWING TEXT OF PAPER TO BE PRESENTED

BY POLES AT FIRST MEETING OF JOINT BOARD. CHOWANIEC INDICATED  
POLISH PAPERS ON UNIFIED GRANT DOCUMENT AND ACCOUNTING  
PRINCIPLES WILL FOLLOW SHORTLY. TEXT:

RULES AND PROCEDURES OF THE JOINT BOARD

I. COMPOSITION AND MEETINGS OF THE JOINT BOARD

1. IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE III OF THE  
AGREEMENT BETWEEN THE GOVERNMENT OF THE POLISH PEOPLE'S  
REPUBLIC AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
ON FUNDING OF COOPERATION IN SCIENCE AND TECHNOLOGY OF  
OCTOBER 8, 1974, THE JOINT BOARD SHALL CONSIST OF SIX  
MEMBERS, THREE OF WHOM SHALL BE DESIGNATED BY THE GOVERNMENT  
OF THE UNITED STATES OF AMERICA AND THREE OF WHOM SHALL BE  
DESIGNATED BY THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC.

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2. EACH SIDE MAY DESIGNATE ONE OR MORE ALTERNATE MEMBERS TO SERVE IN THE ABSENCE OF ONE OR MORE PERMANENT MEMBERS. ALTERNATE MEMBERS MAY ALSO PARTICIPATE IN SESSIONS OF THE JOINT BOARD, THOUGH WITHOUT A VOTING POWER. AN ALTERNATE MEMBER OF THE JOINT BOARD HAS A VOTING POWER ONLY WHEN HE SERVES IN THE ABSENCE OF A PERMANENT MEMBER.

3. THE JOINT BOARD SHALL ACT BY UNANIMOUS VOTE. A REPRESENTATIVE OF THE COUNTRY IN WHICH THE JOINT BOARD MEETS SERVES AS CHAIRMAN.

4. THE JOINT BOARD SHALL MEET ANNUALLY, AND AS REQUIRED, ALTERNATELY IN POLAND AND THE UNITED STATES OF AMERICA.

## II. POWERS AND RESPONSIBILITIES OF THE JOINT BOARD.

1. POWERS AND RESPONSIBILITIES OF THE JOINT BOARD SHALL REMAIN CONSISTENT WITH THE PROVISIONS OF ARTICLES IV AND V OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON FUNDING OF COOPERATION IN SCIENCE AND TECHNOLOGY OF OCTOBER 8, 1974.

2. THE JOINT BOARD SHALL BE RESPONSIBLE FOR A GENERAL SUPERVISION OVER THE FUNCTIONING OF THE MARIE SKLODOWSKA-CURIE FUND, ESTABLISHED BY THE GOVERNMENTS OF THE POLISH PEOPLE'S REPUBLIC AND THE UNITED STATES OF AMERICA TO FINANCE JOINT SCIENTIFIC AND TECHNOLOGICAL RESEARCH PROJECTS AND OTHER FORMS OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION AGREED BETWEEN THE TWO SIDES AND FINANCED FROM THE JOINT FUND. IT SHALL TAKE CARE OF THE PROPER USE OF RESOURCES FROM THE JOINT FUND, IN THE BEST INTERESTS OF BOTH SIDES AND OF THE PROPER COST ACCOUNTING OF THE AGREED PROJECTS.

3. THE JOINT BOARD SHALL ESTABLISH ANNUALLY THE BROAD AREAS OF RESEARCH AND THE TOTAL AMOUNTS OF FINANCING IN PARTICULAR FIELDS, TAKING INTO ACCOUNT PREFERENCES AND PRIORITIES EXPRESSED AND AGREED UPON BY BOTH SIDES.

4. IN DECIDING ON THE QUESTION OF TOTAL EXPENDITURES FOR  
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SCIENTIFIC AND TECHNOLOGICAL COOPERATION IN A GIVEN YEAR THE JOINT BOARD SHALL TAKE INTO ACCOUNT TOTAL FINANCIAL RESOURCES PLACED AT THE DISPOSAL OF THE JOINT FUND FOR THE WHOLE PERIOD OF DURATION OF THE AGREEMENT AS WELL AS THE NEED TO PROVIDE CONTINUOUS GROWTH AND CONTINUITY OF JOINT RESEARCH AND OTHER FORMS OF COOPERATION.

5. THE JOINT BOARD SHALL BE RESPONSIBLE FOR WORKING OUT SUCH

BASIC DOCUMENTS AS GENERAL TERMS OF FINANCING RESEARCH PROJECTS AND UNIFIED METHODS OF COST ACCOUNTING FOR SUCH PROJECTS. THE JOINT BOARD IS RESPONSIBLE FOR INTRODUCING SUCH CHANGES AND AMENDMENTS TO THOSE DOCUMENTS AS MAY BECOME JUSTIFIED BY PRACTICAL EXPERIENCE OF INSTITUTIONS OF BOTH COUNTRIES, GAINED IN THE COURSE OF IMPLEMENTATION OF THE AGREEMENT.

6. THE JOINT BOARD HAS THE POWER TO NOMINATE A TREASURER, WHO WILL ACT ACCORDING TO THE INSTRUCTIONS OF THE BOARD AND ON BEHALF OF THE BOARD.

7. THE TREASURER'S RESPONSIBILITIES SHALL INCLUDE: KEEPING THE RECORD OF TRANSFER OF FUNDS INTO THE JOINT FUND AS WELL AS EXPENDITURES FROM THE FUND, KEEPING THE RECORD OF ALL PROJECT AGREEMENTS CONCLUDED BY THE COOPERATING INSTITUTIONS OF BOTH COUNTRIES AND FINANCED FROM THE FUND, CONDUCTING OTHER RECORDS AND REPORTING ACCORDING TO AGREED METHODS, PREPARING ONCE A YEAR A DRAFT REPORT ON THE OPERATION OF THE FUND AND THE ACTIVITIES OF THE JOINT BOARD. THE POWERS AND RESPONSIBILITIES OF THE TREASURER WILL BE DEFINED IN A MORE DETAILED MANNER BY THE JOINT BOARD IN A SEPARATE DOCUMENT.

8. THE FISCAL YEAR FOR THE PROGRAMMING AND REPORTING PURPOSES OF THE JOINT BOARD SHALL BE THE CALENDAR YEAR. ANNUAL REPORTS ON THE ACTIVITIES OF THE JOINT BOARD, WHICH IT IS OBLIGED TO SUBMIT IN ACCORDANCE WITH THE PROVISION OF ARTICLE V, PARA 3 OF THE AGREEMENT SHALL BE AGREED UPON AND APPROVED BY THE BOARD AT ITS WINTER SESSION HELD USUALLY IN FEBRUARY, BUT NOT LATER THAN IN MARCH OF EACH YEAR. REPORTS OF THE JOINT BOARD SHALL DEAL ONLY WITH THE PROGRAMS FINANCED FROM THE JOINT BOARD.

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9. PROJECTS WHICH MAY BE FINANCED FROM THE JOINT FUND ARE ONLY THOSE, FOR WHICH FUNDS HAVE BEEN TRANSFERRED BY THE PROPER AGENCIES OF THE US GOVERNMENT AND THE CORRESPONDING CONTRIBUTIONS MADE BY THE POLISH SIDE. HOWEVER, THERE MAY BE ALLOWED A POSSIBILITY TO UNDERTAKE FINANCING OF SUCH PROJECTS, FOR WHICH THE PROPER US AGENCY HAS NOT TRANSFERRED YET ITS CONTRIBUTION INTO THE FUND, PROVIDED THAT IT WILL MAKE A PROPER DEPOSIT AT A LATER DATE. UNDERTAKING RESEARCH PROJECTS IN THE AREAS WHERE A US AGENCY HAS NOT MADE YET A PROPER DEPOSIT INTO THE JOINT FUND FOR FINANCING IS PERMITTED BY THE DECISION OF THE JOINT BOARD, WHICH WILL SIMULTANEOUSLY SET A CEILING FOR UNDERTAKING COMMITMENTS IN THAT PARTICULAR AREA.

10. THE TREASURER WILL BE RESPONSIBLE FOR CONTROLLING THE TOTAL AMOUNTS OF FINANCING IN A GIVEN YEAR IN PARTICULAR FIELDS, AS SET BY THE BOARD, AND WILL KEEP THE RECORD OF FUNDS COMMITTED ALREADY FOR PROJECTS IN PROGRESS. IN CASE HE FINDS OUT TOTAL COMMITMENTS UNDERTAKEN BY THE INSTITUTIONS OF BOTH COUNTRIES IN A GIVEN FIELD EXCEED THE LIMITS SET BY THE JOINT BOARD, HE WILL HAVE THE DUTY TO WITHHOLD THE APPROVAL OF A GIVEN PROJECT AGREEMENT AND NOTIFY FORTHWITH THE INSTITUTIONS CONCERNED AS WELL AS THE CO-CHAIRMEN OF THE JOINT BOARD.

11. THE JOINT BOARD SHALL APPROVE ANNUALLY ADMINISTRATIVE EXPENSES OF THE JOINT FUND. THE APPROVAL OF THIS BUDGET BY THE JOINT BOARD SHALL CONSTITUTE THE AUTHORITY FOR INCURRING EXPENSES. END TEXT.

DAVIES

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